

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3 and 5-13 are in this application with claims 1, 5, 7 and 13 having been amended and claim 4 cancelled herein. No new matter has been added by these amendments.

II. REJECTIONS UNDER 35 U.S.C. §§102 and 103

In the office action the Examiner has rejected claims 1-6 under 35 U.S.C. 102(e) as anticipated by U.S. Published Patent Application No. 2001/0018332 to Lustila et al. The Examiner has also rejected claims 7-9 and 11-13 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,600,662 to Emmert. Finally claim 10 is rejected under 35 U.S.C. § 103(a) as unpatentable over Emmert in view of Lustila.

Independent claim 1 has been amended to recite:

a surface lighting portion provided on the outer surface of said housing and including a light source and a light guiding plate for guiding light emitted from said light source and scattering said light from one surface;

a panel member detachably mounted on said housing so as to cover said surface lighting portion, at least a part of said panel member being transparent or semitransparent; and

a control portion for controlling lighting patterns of said surface lightning portion;

wherein said control portion controls said lightning patterns of said surface lightning portion according to an event occurring in said apparatus such that the light emitted from said surface lighting portion is transmitted through said panel member.

(emphasis added)

It is respectfully submitted that the relied upon portions of Lustila do not teach “a light source and a light guiding plate for guiding light emitted from said light source and scattering said light from one surface.” Moreover, it is submitted that the relied upon portions of Lustila do not teach a “control portion for controlling lighting patterns of said surface lightning portion.” And, the relied upon portions of Lustila do not teach a device “wherein said control portion controls said lightning patterns of said surface lightning portion according to an event occurring in said apparatus such that the light emitted from said surface lighting portion is transmitted through said panel member.” For at least these reasons it is submitted that independent claim 1, as amended, patentably distinguishes over Lustila and is allowable.

With respect to claim 7, the Examiner erroneously alleges that Emmert teaches a “surface lighting portion.” (Office Action ¶ 5). The relied upon portion of Emmert teaches only a light formed on a hinge portion of the devices described therein. Such a feature is also recited in independent claim 7 in addition to the surface lighting portion, thus the Examiner’s reliance on the same portion of Emmert to teach two different lighting features is improper. Indeed, Emmert does not teach the surface lighting feature as recited in claim 7. Specifically, Emmert does not teach “a surface lighting portion provided on the outer surface of said upper housing.” Accordingly, independent claim 7 patentably distinguishes over the relied upon portions of Emmert and is allowable. The shortcomings addressed herein of Emmert and Lustila with respect to independent claims 1 and 7 are not overcome by the relied upon portions of either reference.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed

to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the basis for a contrary view.

The Examiner has apparently made of record, but not applied, several documents. The Applicants appreciate the Examiner's implicit finding that these documents, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

CONCLUSION

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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